

Standards Committee

Meeting held 22 January 2015

PRESENT: Councillors Penny Baker, Ben Curran, Alan Law, Mary Lea, Pat Midgley, Vickie Priestley, Colin Ross and Peter Price (Substitute Member).

Co-opted Members

Alan Casbolt and Edward Fleming.

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1. APPOINTMENT OF CHAIR

1.1 **Resolved:** That, in the absence of the Chair of the Committee (Councillor Bryan Lodge), Councillor Ben Curran is appointed Chair of the meeting until a Deputy Chair has been appointed.

2. APOLOGIES FOR ABSENCE

2.1 Apologies for absence were received from Councillors Bryan Lodge, Malcolm Glover (Bradfield Parish Council) and Andy Bainbridge (Ecclesfield Parish Council) and John Atkinson.

2.2 Councillor Peter Price attended the meeting as a substitute for Councillor Lodge.

3. MEMBER DEVELOPMENT PROGRAMME

3.1 The Interim Director of Legal and Governance submitted a report on proposals for developing a policy and programme of Member Development that would be overseen, monitored and reviewed by the Standards Committee.

3.2 **Resolved:** That consideration of the report is deferred to allow further work in developing the Member Development Programme and consideration of the involvement of the Parish and Town Councils.

4. EXCLUSION OF PUBLIC AND PRESS

4.1 There were no items identified where resolutions may be moved to exclude the press and public.

5. DECLARATIONS OF INTEREST

5.1 There were no declarations of interest from Members of the Committee.

6. APPOINTMENT OF DEPUTY CHAIR

6.1 **Resolved:** That Councillor Alan Law is appointed as Deputy Chair of the Committee.

(Note: From this point, Councillor Law chaired the remainder of the meeting).

7. MINUTES OF LAST MEETING

- 7.1 The minutes of the meeting of the Committee held on 4 June 2014 were approved as a correct record.

8. UPDATE ON STANDARDS COMPLAINTS

- 8.1 The Interim Director of Legal and Governance introduced a report that provided information on complaints considered under the Procedure for Dealing with Standards Complaints during 2014/15. 13 complaints were considered, which included two from 2013, and eight had been concluded, three were being investigated and two were pending.

- 8.2 **Resolved:** That the contents of the report is noted.

9. REVISED PROCEDURE FOR DEALING WITH STANDARDS COMPLAINTS

- 9.1 The Interim Director of Legal and Governance introduced a report that contained a draft revised Procedure for Dealing with Standards Complaints that had been developed following a recent review. The revised Procedure incorporated both the City Council and Joint Parish and Town Councils' Procedures and provided greater clarity of the process for the complainant and the Member who was the subject of the complaint. Appended to the report were the existing and revised Procedures.

- 9.2 The Interim Director indicated that the main proposed changes and features of the revised Procedure were:-

- Having one Procedure for complaints relating to the City, Parish and Town Councils and Co-opted members.
- Providing a complaint form that would include the opportunity for the complainant to indicate any remedy they were seeking in submitting the complaint.
- Asking the Member to submit a statement of fact in response to the complaint at the start of the process.
- The Leader of the relevant political Group, Group Whip and Chair of the Standards Committee would be informed that a complaint has been received.
- Where necessary, seeking or clarifying information from both parties earlier in the process.
- Including timescales for each stage of the process.
- Clarifying the process for an investigation.
- Having a Consideration Sub-Committee to consider investigation reports.
- A Hearing Sub-Committee comprising three Councillors and one non-voting co-opted Independent Member.
- Providing both parties with information on the pre-hearing process and procedure at a hearing.
- There would be no right of appeal.

9.3 In response to questions from Members of the Committee relating to there being no right of appeal, the Interim Director indicated that there was no right of appeal within the process, however a complainant always has a right to ask the Local Government Ombudsman to investigate if they felt that the Council had not dealt with their complaint properly.

9.4 **Resolved:** That:-

- (a) the Committee recommends to Full Council:-
 - (i) the adoption of the Revised Procedure for Dealing with Standards Complaints, as set out in Appendix A of the report now submitted;
 - (ii) the establishment of Consideration and Hearing Sub-Committees of the Standards Committee, as set out in the report and
 - (iii) that the Constitution is amended accordingly;
- (b) the revised Procedure for Dealing with Standards Complaints is referred to the Parish and Town Councils for consideration; and
- (c) if the revised Procedure is adopted by Full Council, the Director of Legal and Governance is requested to review the operation of the new Procedure in 12 months' time.

10. WORK PROGRAMME

10.1 The Interim Director of Legal and Governance submitted a report outlining a proposed work programme for the Committee for 2015/16 and asking Members to identify any further items for inclusion.

10.2 In respect of the proposed training session on the Members' Code of Conduct on 24 June 2015, the Interim Director indicated that this could include any other areas identified by Members.

10.3 In response to a question from a Member of the Committee on the proposed Consideration and Hearing Sub-Committees, the Interim Director indicated that the Members of those Sub-Committees would be drawn from the Standards Committee and there would be training for Members prior to any hearing.

10.4 **Resolved** that:-

- (a) the work programme is approved;
- (b) members of the Committee are requested to identify any further areas to be included in the training session to be held on 24 June 2015 and inform the Director of Legal and Governance; and
- (c) subject to the adoption by Full Council of the revised Procedure for Dealing

with Standards Complaints, the Director of Legal and Governance is requested to arrange training for Members of the Committee on the new Procedure and for Members sitting at any hearing.

11. DATES OF FUTURE MEETINGS

- 11.1 It was noted that meetings of the Committee would be held on 11 March and 24 June at 2.00 p.m.